

Introduced by Senator Negrete McLeodFebruary 22, 2007

An act to amend Sections 1330, 1331, 1332, 1333, 1334, 1335, 1338, and 1340 of, and to add Section 1341 to, the Military and Veterans Code, and to repeal Article 11 (commencing with Section 18821) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to veterans memorials.

LEGISLATIVE COUNSEL'S DIGEST

SB 599, as introduced, Negrete McLeod. California Mexican American Veterans' Memorial Beautification and Enhancement Committee.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Commission and provides for its composition and duties. Existing law authorizes the beautification and enhancement of an existing memorial on state grounds, as defined, and authorizes the commission to, among other things, establish a schedule for its design, construction, and dedication; to solicit designs and devise a process for selection of the final design; to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services.

This bill would delete the provisions establishing the California Mexican American Veterans' Memorial Beautification and Enhancement Commission, and would instead require the Secretary of Veterans Affairs to establish a California Mexican American Veterans' Memorial Beautification and Enhancement Committee, as specified. This bill would authorize the committee to, among other things, establish a schedule for the design, construction, and dedication of the memorial; to solicit designs and devise a process for selection of the final design;

to monitor construction; and to consult with and obtain final design and site orientation approval from the Department of General Services and the Secretary of Veterans Affairs.

Existing law establishes the California Mexican American Veterans' Memorial Beautification and Enhancement Account, a continuously appropriated account, in the General Fund. Existing law authorizes taxpayers to designate a contribution to the account through a voluntary checkoff on their tax returns. Existing law also authorizes the commission to receive contributions, for the beautification and enhancement of the memorial, which are to be deposited in the account. Funds in the account are to be appropriated to the commission for purposes of beautification and enhancement of the memorial and for reimbursement of the Controller and the Franchise Tax Board for related costs.

This bill would repeal the provisions authorizing taxpayers to designate a contribution to the account through a voluntary checkoff on their tax returns. This bill would instead authorize the Department of Veterans Affairs to receive those contributions for the beautification and enhancement of the memorial, which are, under existing law, required to be deposited in the account, and appropriated to the department, along with existing funds collected through the auspices of the California Mexican American Veterans' Memorial Beautification and Enhancement Commission, for purposes of beautification and enhancement of the memorial.

Existing law prohibits the commission from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

This bill would delete the provision prohibiting the commission from soliciting any construction funds until the veterans memorial has been constructed on State Capitol grounds under existing law.

Existing law requires the commission to notify the Governor and the Franchise Tax Board when the beautification and enhancement of the memorial is complete.

This bill would instead require the committee to notify the Governor and the Secretary of Veterans Affairs when the beautification and enhancement of the memorial is complete.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1330 of the Military and Veterans Code
2 is amended to read:

3 1330. (a) ~~There is in state government the~~*The Secretary of*
4 *Veterans Affairs shall establish a California Mexican American*
5 *Veterans' Memorial Beautification and Enhancement Commission*
6 *composed of 11 members as follows: Committee.*

7 ~~(1) Two members appointed by the Speaker of the Assembly,~~
8 ~~at least one of whom shall be a Member of the Assembly, and at~~
9 ~~least one of whom shall be a veteran, as defined in Section 980.~~

10 ~~(2) Two members appointed by the Senate Committee on Rules,~~
11 ~~at least one of whom shall be a Member of the Senate, and at least~~
12 ~~one of whom shall be a veteran, as defined in Section 980.~~

13 ~~(3) Seven members appointed by the Governor, at least two of~~
14 ~~whom shall be veterans, as defined in Section 980.~~

15 (b) ~~The members shall elect one of their number to serve as~~
16 ~~chairperson~~ *Secretary shall appoint one member from the*
17 *committee to serve as chairperson.*

18 SEC. 2. Section 1331 of the Military and Veterans Code is
19 amended to read:

20 1331. ~~Members of the Legislature shall serve on the~~
21 ~~commission as ex officio members without vote and shall~~
22 ~~participate in the activities of the commission to the extent that~~
23 ~~the participation is not incompatible with their legislative duties.~~
24 ~~Members of the commission~~ *committee* shall receive no
25 compensation.

26 SEC. 3. Section 1332 of the Military and Veterans Code is
27 amended to read:

28 1332. ~~The commission~~ *committee* may request staff support
29 and facilities for its activities from the Department of Veterans
30 Affairs, and the department may provide that support and be
31 reimbursed for the cost of this support.

32 SEC. 4. Section 1333 of the Military and Veterans Code is
33 amended to read:

34 1333. ~~The commission~~ *committee* shall be responsible for
35 ~~setting policy consistent with~~ *carrying out* the purposes of this
36 chapter. ~~The staff hired by the commission shall carry out that~~
37 ~~policy.~~

1 SEC. 5. Section 1334 of the Military and Veterans Code is
2 amended to read:

3 1334. (a) The beautification and enhancement of an existing
4 memorial on state grounds is hereby authorized. For the purposes
5 of this act, “state grounds” means that property in the City of
6 Sacramento bounded by “Ninth,” “Tenth,” “L,” and “N” Streets.
7 The actual site for the beautification and enhancement of the
8 memorial shall be the site of the existing memorial and surrounding
9 ground.

10 (b) Funds for the beautification and enhancement of the
11 memorial shall be provided through private contributions and ~~by~~
12 ~~designation through a voluntary checkoff on tax returns through~~
13 ~~existing funds collected under the auspices of the California~~
14 ~~Mexican American Veterans’ Memorial Beautification and~~
15 ~~Enhancement Commission. The ~~commission~~ Department of~~
16 ~~Veterans Affairs may receive contributions for this purpose.~~
17 ~~However, the commission shall not solicit any funds for~~
18 ~~construction of the memorial until the Veterans Memorial~~
19 ~~Commission has completed construction of a memorial to~~
20 ~~California’s veterans pursuant to Chapter 5 (commencing with~~
21 ~~Section 1310).~~

22 SEC. 6. Section 1335 of the Military and Veterans Code is
23 amended to read:

24 1335. With respect to the design and construction of an
25 enhanced memorial, the ~~commission~~ *committee* may do all of the
26 following:

27 (a) Establish a schedule for the design, construction, and
28 dedication of the enhanced memorial.

29 (b) Implement procedures to solicit designs for beautifying and
30 enhancing the memorial and devise a selection process for the
31 choice of the design.

32 (c) Select individuals or organizations to provide fundraising
33 services and to construct the enhanced memorial.

34 (d) Review and monitor the design and construction of the
35 memorial and establish a program for the rededication of the
36 memorial.

37 (e) Consult with the Department of General Services to
38 determine parameters for the final size of the memorial.

1 (f) Consult with and obtain final design and site orientation
2 approval from the Department of General Services *and the*
3 *Secretary of Veterans Affairs.*

4 SEC. 7. Section 1338 of the Military and Veterans Code is
5 amended to read:

6 1338. ~~The commission~~ *committee* shall notify the Governor
7 and the ~~Franchise Tax Board~~ *Secretary of Veterans Affairs* when
8 beautification and enhancement of the memorial pursuant to this
9 chapter is complete. This chapter shall remain in effect only until,
10 and shall be repealed on, January 1 of the year following that
11 notification, unless a later enacted statute, which is enacted before
12 that date, deletes or extends that date.

13 SEC. 8. Section 1340 of the Military and Veterans Code is
14 amended to read:

15 1340. ~~The California Mexican American Veterans' Veterans'~~
16 ~~Memorial Beautification and Enhancement Account~~ is hereby
17 created in the General Fund. All funds received by the ~~California~~
18 ~~Mexican American Veterans' Memorial Beautification and~~
19 ~~Enhancement Commission~~ *Department of Veterans Affairs* under
20 Chapter 7 (commencing with Section 1330) ~~and under Article 11~~
21 ~~(commencing with Section 18821) of Chapter 3 of Part 10.2 of~~
22 ~~Division 2 of the Revenue and Taxation Code~~ shall be deposited
23 in the account for the design and construction of the California
24 Mexican American ~~Veterans' Veterans'~~ Memorial as specified in
25 ~~Section 18823 of the Revenue and Taxation Code~~ *1341.*

26 SEC. 9. Section 1341 is added to the Military and Veterans
27 Code, to read:

28 1341. (a) Notwithstanding Section 13340 of the Government
29 Code, all funds deposited in the California Mexican American
30 Veterans' Memorial Beautification and Enhancement Account
31 established pursuant to Section 1340 are hereby continuously
32 appropriated, without regard to fiscal year, to the Department of
33 Veterans Affairs for the beautification and enhancement of an
34 existing memorial and surrounding grounds at the State Capitol
35 pursuant to Chapter 7 (commencing with Section 1330).

36 (b) On July 1, 2014, any moneys remaining in the California
37 Mexican American Veterans' Memorial Beautification and
38 Enhancement Account shall revert to the General Fund.

- 1 SEC. 10. Article 11 (commencing with Section 18821) of
- 2 Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation
- 3 Code is repealed.

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